

4. Plaintiff, Roselyn I. Onwe (“**Plaintiff**”), is an individual who resides in Harris County, Texas
5. Defendant JHPDE Finance I, LLC (“**JHPDE Finance**”) is a foreign limited liability company organized and existing under the laws of Delaware. JHPDE Finance’s principal office is located at 5757 Phantom Drive, Suite 250, Hazelwood, Missouri, 63042. JHPDE Finance I, LLC may be served with process by serving its registered agent for service of process: CT CORPORATION SYSTEM, 1999 Bryan Street, Suite 900, Dallas, TX 75201.
6. JHPDE Finance I, LLC is a “debt collector”, as defined under the FDCPA 15 U.S.C. § 1692a(6)
7. Upon information and belief JHPDE Finance I, LLC is a junk debt buyer that purchases large portfolios of defaulted consumer debts for pennies on the dollar, which it then collects upon through other collection agencies such as Scott & Associates, P.C.. Upon information and belief defendant JHPDE Finance I, LLC’s principal, if not sole business purpose is the collection of defaulted consumer debts originated by others.
8. JHPDE Finance I, LLC’s principal purpose of business is the collection of debts, and JHPDE Finance I, LLC regularly uses the instrumentalities of interstate commerce and/or the mails, either directly or through and Agent, in its business of debt collection.
9. JHPDE Finance I, LLC directly or through an intermediary hired Scott & Associates, P.C. to collect the alleged debt.
10. Upon Information and belief JHPDE Finance I, LLC was incorporated for the sole purpose to acquire certain loan portfolios from JH Portfolio Debt Equities, LLC and to purchase them with the Delayed Draw Facility.
11. Upon information and belief JHPDE Finance I, LLC is classified as a Variable Interest Entity, that is controlled by its managing member JH Portfolio Debt Equities, LLC.

12. Defendant JH Portfolio Debt Equities, LLC is a foreign limited liability company organized and existing under the laws of California. JHPDE'S principal office is located at 5757 Phantom Drive, Suite 225, Hazelwood, Missouri, 63042. JH Portfolio Debt Equities, LLC may be served with process by serving its registered agent for service of process: CT CORPORATION SYSTEM, 1999 Bryan Street, Suite 900, Dallas, TX 75201
13. Upon information and belief, JH Portfolio Debt Equities, LLC has a controlling interest in JHPDE Finance I, LLC.
14. Upon information and belief, JH Portfolio Debt Equities, LLC's principal purpose of business is the collection of debts. JH Portfolio Debt Equities, LLC indirectly collects debt through its subsidiary JHPDE Finance I, LLC by directing its activities that most significantly affect JHPDE Finance I, LLC's economic performance.
15. JH Portfolio Debt Equities, LLC is a "debt collector", as defined under the FDCPA 15 U.S.C. § 1692a(6)
16. Defendant JHCG Holdings, LLC is a foreign limited liability company organized and existing under the laws of Delaware. JHCG Holdings, LLC principal office is located at 21800 Oxnard Street, Suite 500 Woodland Hills, CA 91367.
17. Upon information and belief JHCG Holdings, LLC principal purpose of business is the collection of debts. JHCG Holdings, LLC is the sole member of JH Portfolio Debt Equities, LLC and purchases and collects charged-off debt through the legal entity JH Portfolio Debt Equities, LLC and its subsidiaries.
18. JHCG Holdings, LLC is a "debt collector", as defined under the FDCPA 15 U.S.C. § 1692a(6)
19. Defendant JH Capital Group Holdings, LLC is a foreign limited liability company

organized and existing under the laws of Delaware. JH Capital Group Holdings, LLC's principal office is located at 21800 Oxnard Street, Suite 500 Woodland Hills, CA 91367.

20. Upon information and belief JH Capital Group Holdings, LLC is the sole member of JHCG Holdings, LLC. JH Capital Group Holdings, LLC principal purpose of business is the collection of debts.

21. Upon information and belief JH Capital Group Holdings, LLC is the parent company of its subsidiaries JHCG Holding, LLC, JH Portfolio Debt Equities, LLC and JHPDE Finance I, LLC. See

https://www.sec.gov/Archives/edgar/data/1641197/000114420418020544/tv490377_prer14a.htm

22. Upon information and belief JH Capital Group Holdings, LLC along with the entities JHCG Holdings, LLC, JH Portfolio Debt Equities, LLC and JHPDE Finance I, LLC are known collectively as "JH Capital". See

https://www.sec.gov/Archives/edgar/data/1641197/000114420418020544/tv490377_prer14a.htm

23. Upon information and belief, JH Capital Group Holdings, LLC along with the entities JHCG Holdings, LLC, JH Portfolio Debt Equities, LLC and JHPDE Finance I, LLC operate as one single economic entity under common management as all important strategic and operational decisions for "JH Capital" have been made jointly by Douglas C. Jacobsen, Norman Kravetz, along with Mr. Glenn Corey ("JH Capital" Chief Financial Officer), and Anthony Riggio ("JH Capital" President). See

https://www.sec.gov/Archives/edgar/data/1641197/000114420418020544/tv490377_prer14a.htm

24. JH Capital Group Holdings, LLC is a "debt collector", as defined under the FDCPA 15 U.S.C. § 1692a(6)

25. Defendant Jacobsen Credit Holdings, LLC is a foreign limited liability company organized and existing under the laws of California. Jacobsen Credit Holdings, LLC's principal office

is located at 21800 Oxnard Street, Suite 500 Woodland Hills, CA 91367.

26. Upon information and belief, Jacobsen Credit Holdings, LLC is the sole member of JH Capital Group Holdings, LLC. Jacobsen Credit Holdings, LLC.
27. Upon information and belief Jacobsen Credit Holdings, LLC's principal purpose of business is the collection of debts. Jacobsen Credit Holdings, LLC indirectly collects debts through JH Capital Group Holdings, LLC, which indirectly collects debts through JHCG Holdings, LLC, which indirectly collects debts through JH Portfolio Debt Equities, LLC, which indirectly collects debts through JHPDE Finance I, LLC
28. Jacobsen Credit Holdings, LLC is a "debt collector", as defined under the FDCPA 15 U.S.C. § 1692a(6)
29. Defendant Douglas Jacobsen is an individual domiciled in the state of California.
30. Upon information and belief Douglas Jacobsen is the founder and Chief Executive Officer of "JH Capital" and is responsible for the overall business strategy of JH Capital as their success is predicated and dependent on its ability to purchase charged-off debt at appropriate valuations and to collect effectively and efficiently. See https://www.sec.gov/Archives/edgar/data/1641197/000114420418009041/v470780_prem14a.htm
31. By exercising control of "JH Capital" Douglas Jacobsen uses instrumentality of interstate commerce or the mails in a business the principle purpose which is the collection of any debts, and/or regularly collects or attempts to collect, directly or indirectly debts owed or due, or asserted to owed or due another.
32. Douglas Jacobsen is a "debt collector", as defined under the FDCPA 15 U.S.C. § 1692a(6)
33. Defendant Norman Kravetz is an individual domiciled in the state of California.
34. Upon information and belief Norman Kravets is the co-founder and Chairman of "JH

Capital” and is responsible of the oversight of the company by guiding management in the execution of business plans to improve the company’s overall performance in which the success of their business is predicated on its ability to purchase charged-off debt at appropriate valuations and to collect effectively and efficiently. See

https://www.sec.gov/Archives/edgar/data/1641197/000114420418009041/v470780_prem14a.htm

35. By exercising control of “JH Capital” Norman Kravetz uses instrumentality of interstate commerce or the mails in a business the principle purpose which is the collection of any debts, and/or regularly collects or attempts to collect, directly or indirectly debts owed or due, or asserted to owed or due another.
36. Norman Kravetz is a “debt collector”, as defined under the FDCPA 15 U.S.C. § 1692a(6)
37. Defendant Scott & Associates P.C. (“Scott”) is a domestic professional corporation and existing under the laws of Texas. Scott’s principal office is located at 1120 Metrocrest Drive, Suite 100, Carrollton, TX 75006. Scott may be served with process by serving its registered agent for service of process: Nation Registered Agents, Inc., 1999 Bryan St., Suite 900, Dallas, TX 75201-3136
38. Scott is a “debt collector,” as defined under the FDCPA under 15 U.S.C. § 1692a(6)
39. Upon information and belief Scott is a debt collection company that uses the mail, telephone, or facsimile in a business the principal purpose of which is the collection of debts, or that regularly collects or attempts to collect debts alleged to be due another.
40. Upon information and belief defendant Vince Handler is an attorney, a natural person, and is a resident of Texas. Upon information and belief, Vince Handler was the attorney in charge for JHPDE, and the attorney that filed suit against plaintiff in state court to collect a debt.
41. Vince Handler is a debt collector as defined under the FDCPA 15 U.S.C. § 1692a(6)

42. Upon information and belief Vince Handler regularly collects or attempts to collect debts alleged to be due another.
43. Upon information and belief Vince Handler has filed up to 200 debt collections lawsuit from 2017 to 2019.

FACTUAL ALLEGATIONS

44. Plaintiff is a natural person
45. Defendant Scott sent a collection notice to Plaintiff for an alleged debt arising from goods and services used for personal, family, or household purposes, owed to JHPDE account#XXXXXXXXXXXX5723 dated August 3, 2018.
46. Defendant Scott sent a collection notice to Plaintiff for an alleged debt arising from goods and services used for personal, family, or household purposes, owed to JHPDE account#XXXXXXXXXXXX5723 dated September 17, 2018
47. Plaintiff sent a cease and desist notice as well as a dispute and demand for validation of the alleged debt in a letter dated October 4, 2018 sent by certified mail # 70171070000066274693 which was received by Scott on October 9, 2018
48. Plaintiff received a reply from Scott of nothing other than copies of what appears to be a couple of alleged credit card account statements with no signed verification or accounting of the alleged account or copy of any signed contract or agreement.
49. Defendant Scott sent another collection notice to Plaintiff for an alleged debt arising from goods and services used for personal, family, or household purposes, allegedly owed to JHPDE Finance I, LLC account#XXXXXXXXXXXX5723 dated October 10, 2018 without proper validation or verification of the debt.
50. Plaintiff sent another cease and desist notice as well as a dispute and demand for validation

of the alleged debt in a letter dated November 1, 2018 sent by certified mail # 70171070000066189355 which was received by Scott on November 5, 2018

51. Defendant Scott sent another collection notice to Plaintiff for an alleged debt arising from goods and services used for personal, family, or household purposes, owed to JHPDE Finance, LLC account#XXXXXXXXXXXX5723 dated November 5, 2018 without proper validation or verification of the debt.

52. The Defendants Douglas Jacobsen, Norman Kravetz, Jacobsen Credit Holdings, LLC, JH Capital Group Holdings, LLC, JHCG Holdings, LLC, JH Portfolio Debt Equities, LLC, JHPDE Finance I, LLC do not operate independent of each other. They are collectively known as “JH Capital”. “JH Capital” does not have separate management or separate business and income. “JH Capital” collectively are a family of entities that are interrelated and inseparably operate as a single economic business operation and/or alter ego of each other. As a result, any violations committed by JHPDE Finance I, LLC, would be vicariously committed by JH Portfolio Debt Equities, LLC, JHCG Holdings, LLC, JH Capital Group Holdings, LLC, Jacobsen Credit Holdings, LLC, Norman Kravetz, and Douglas Jacobsen.

53. Since, Douglas Jacobsen and Norman Kravetz exercises control of Jacobsen Credit Holdings, LLC, which exercises control of JH Capital Group Holdings, LLC, which exercises control of JHCG Holdings, LLC, which exercises control of JH Portfolio Debt Equities, LLC, which exercises control of JHPDE Finance I, LLC, they are vicariously liable for any violations committed by JHPDE Finance I, LLC.

54. On or about September 24, 2018, JHPDE Finance I, LLC, represented by Scott and their attorney Vince Handler, sued Plaintiff in an attempt to collect the alleged debt.

55. The suit was filed in Justice of the Peace, Precinct 6, Harris County, Texas as case number

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18620043368, *JHPDE FINANCE I, LLC v. ROSELYN I ONWE.*

56. At commencement of the action, Plaintiff did not reside within Justice of the Peace, Precinct 6, Harris County, Texas but rather Justice of the Peace, Precinct 7, Harris County, Texas.

57. JHPDE Finance I, LLC was aware of the Plaintiff's address of residence and served plaintiff there on or about 11/12/18

58. Harris County provides a website that allows interested parties to quickly and easily determine the justice of the peace precinct in which an address lies. See

<http://www2.harriscountytexas.gov/constables.aspx>

59. A motion to Transfer Venue was filed in the state court case by the plaintiff, seeking to transfer venue to Justice of the Peace, Precinct 7, Harris County, Texas. JHPDE non-suited the state court case before a ruling on the venue motion.

COUNT 1

VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT (FDCPA) 15 U.S.C § 1692g(B) BY DEFENDANT SCOTT & ASSOCIATES, P.C.

60. Plaintiff re-alleges the above paragraphs as set forth fully in this count.

61. Plaintiff is a consumer within the meaning of the FDCPA 15 U.S.C. § 1692a(3)

62. Defendant Scott & Associates, P.C., as debt collectors violated 15 U.S.C § 1692g(B) by sending collection notices to Plaintiff who is a consumer when several demands for validation and demands to cease and desist from collection activities sent to Scott had not been complied with.

COUNT 2

VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT (FDCPA) 15 U.S.C § 1692i BY DEFENDANTS DOUGLAS C. JACOBSEN, NORMAN KRAVETZ, JACOBSEN

CREDIT HOLDINGS, LLC, JH CAPTIAL GROUP HOLDINGS, LLC, JHCG HOLDINGS, LLC, JH PORTFOLIO DEBT EQUITIES, LLC, JHPDE FINANCE I, LLC, SCOTT & ASSOCIATES, P.C., and VINCE HANDLER

63. Plaintiff re-alleges the above paragraphs as set for fully in this count.

64. Plaintiff is a consumer within the meaning of the FDCPA 15 U.S.C. § 1692a(3)

65. The FDCPA, §1692i(a), states as follows:

Legal actions by debt collectors

Any debt collector who brings any legal action on a debt against any consumer shall --

(2) in the case of an action not described in paragraph (1), bring such action only in the judicial district or similar legal entity --

(A) in which such consumer signed the contract sued upon; or

(B) in which such consumer resides at the commencement of the action.

66. Because suits brought in the justice court generally “shall be brought in the county and the precinct in which one or more defendants reside” TEX. CIV. PRAC. & REM. CODE § 15.082, Douglas Jacobsen, Norman Kravetz, Jacobsen Holdings, LLC, JH Capital Group Holdings, LLC, JHCG Holdings, LLC, JH Portfolio Debt Equities, LLC, JHPDE Finance I, LLC, Scott, and Vince Handler failed to bring the action “in the judicial district . . . in which [Onwe] resides.” *Cf. Suesz v. Med-1 Solutions, LLC*, 757 F. 3d 636, 641 (7th Cir. 2014) (finding that the proper “judicial district” under the FDCPA is “the smallest geographic area relevant to venue in the court system in which the case is filed”).

67. Once the debt collector sues in the wrong venue, the consumer must defend, and the damage is done.” *Beeler-Lopez v. Dodeka, LLC*, 711 F.Sup.2d 679, 681 (E.D.Tex.2010).

68. The [FDCPA] provides Plaintiff a full remedy against the attorney who filed suit for any damages due to the inconvenient venue and any costs and fees associated with a motion to transfer to the proper venue. *See* 15 U.S.C. §§ 1692i, k." *Id* at 682 ." *Beeler-Lopez v. Dodeka, LLC*, 711 F.Sup.2d 679, 681 (E.D.Tex.2010).

69. Defendants violated 15 U.S.C. §1692(i) by filing a suit to collect a debt against a consumer in a judicial district or similar legal entity that was neither where the contract sued upon was signed or where the consumer resided at the commencement of the action.

WHEREFORE, Plaintiff asks that the Court enter judgment in Plaintiff's favor and against Defendants as follows:


Actual damages pursuant to 15 U.S.C. § 1692k(a)(1); Statutory damages of \$1000.00 pursuant to 15 U.S.C. § 1692k(a)(2); and Costs and reasonable attorney fees pursuant to 15 U.S.C. § 1692k(a)(3) against each and every defendant.

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury of all issues to triable as a matter of law.

Dated: November 6, 2019

Respectfully Submitted,



Roselyn I. Onwe
8527 Hearth Drive #2
Houston, TX 77054
713-664-7416

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document was sent to the parties listed below by certified mail.

Service to:

JH Portfolio Debt Equites, LLC
5757 Phantom Drive, Suite 225,
Hazelwood, Missouri, 63042

JHCG Holdings, LLC
21800 Oxnard Street, Suite 500,
Woodland Hills, CA 91367

JH Capital Group Holdings, LLC
21800 Oxnard Street, Suite 500,
Woodland Hills, CA 91367

Jacobsen Credit Holdings, LLC
21800 Oxnard Street, Suite 500,
Woodland Hills, CA 91367

Norman Kravetz
21800 Oxnard Street, Suite 500,
Woodland Hills, CA 91367

Douglas Jacobsen
21800 Oxnard Street, Suite 500,
Woodland Hills, CA 91367

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